

U.S. Patent Application No. 10/770,606
Art Unit 3768



Applicant: Njemanze Philip Chidi
Examiner Jaworski Francis J.

Response to Office Action Dated 10/02/2006

1. Claims 1-20 Rejection under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Response: Base claims 1, 9 and 15 now claim a process.

2. Claims 1-20 Rejection under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Response: In view of amendment given at No. 1 this scope of claims have become clear.

3. Response: The preamble now clear states that this is a task with several stages.

4. Response: Gender is now specified in the use of the term 'subject'.

5. Response: Both 'device and system have been deleted and the claims state that what is claimed is a 'process'.

6. Claims 1-20 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6773400 in view of Davison et al. (US6656122).

Response: The inventor has pointed out the distinction between U.S. patent 6773400 assigned to Njemanze and the present invention (see pages 7-9 of clean text). Even though spectrum analysis for derivation of mean blood flow velocity (MBFV) is used there is significant difference between Fast Fourier Transform per Davison et al. used in the case of U.S. patent 6773400 to plot the MBFV and Fourier series to uncover the periodic processes in the MBFV data set.

7. I have taken time to correct some errors in English in the text and could be seen in the unclean copy.

8. I also will like to correct Figs. 5 and 6 by inter-changing the positions of labeling letter "S" and "M" peaks in the lower panel (female).

9. I have enclosed the reprint of reference of my article in Laterality 2007 vol 12, pp 31-49.

10. Corrected copy is marked "clean" and the older copy with corrections and old text shown is marked "unclean"

I thank you in anticipation.
Yours truly,

Dr Philip C. Njemanze October, 25th 2006.